

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

DEVON CANNON, <i>Plaintiff,</i> v. CITY AND COUNTY OF PHILADELPHIA et al., <i>Defendants.</i>	: : : : : : : : : :	CIVIL ACTION No. 14-5388
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ORDER

AND NOW, this 29th day of December, 2014, upon consideration of Defendants' Motion to Dismiss (Docket No. 5), Mr. Cannon's Response in Opposition (Docket No. 6), and after oral argument on December 5, 2014, **the Court hereby ORDERS** that the Motion to Dismiss (Docket No. 5) is **GRANTED IN PART AND DENIED IN PART** so that:

1. The Motion is **GRANTED** as to Counts 1, 3, and 5 of the Complaint, purporting to state claims against the City and County of Philadelphia and Police Commissioner Charles H. Ramsey. All claims against Defendants the City and County of Philadelphia and Police Commissioner Charles H. Ramsey, including Counts 1, 3, and 5 of the Complaint, are **DISMISSED**; and
2. The Motion is **DENIED** as to Count 13 of the Complaint.

BY THE COURT:

S/Gene E.K. Pratter
GENE E.K. PRATTER
UNITED STATES DISTRICT JUDGE